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7 Attorneys for Plaintiffs
J. ROGER WOOD, TRUSTEE, PRIVAT
8 FAMILIE TREUHAND; HYDRAUX
MANUFACTURING, INC., a Toronto
9 Corporation; and HYDRAUX
MANUFACTURING, INC., a Nevada
10 Corporation

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 J. ROGER WOOD, TRUSTEE, PRIVAT
15 FAMILIE TREUHAND; HYDRAUX
MANUFACTURING, INC., a Toronto
16 Corporation; and HYDRAUX
MANUFACTURING, INC., a Nevada
17 Corporation,

18 Plaintiffs,

19 v.

20 TORONTO-DOMINION BANK; TD
21 WATERHOUSE CANADA, INC., f/k/a TD
WATERHOUSE INVESTOR SERVICES
(CANADA), INC.; and DOES 1 through 25,
22 inclusive,

23 Defendants.

No. C 07-0016 MJJ MED

Action Filed: October 6, 2006

STIPULATED REQUEST AND
~~PROPOSED~~ ORDER SHORTENING TIME
TO HEAR MOTION TO COMPEL
PRODUCTION OF TAPE RECORDED
CONVERSATIONS

Date: December 4, 2007
Time: 9:30 a.m.
Judge: Hon. Martin J. Jenkins
Courtroom: 11, 19th Floor

Disc. Cutoff: December 5, 2007
Trial Date: March 17, 2008

24 DISCOVERY MATTER

STIPULATED REQUEST FOR ORDER SHORTENING TIME

2 Pursuant to Local Rules 6-2 and 7-12, Plaintiffs J. ROGER WOOD, TRUSTEE,
3 PRIVAT FAMILIE TREUHAND; HYDRAUX MANUFACTURING, INC., a Toronto
4 Corporation; and HYDRAUX MANUFACTURING, INC., a Nevada Corporation and
5 Defendants TORONTO-DOMINION BANK and TD WATERHOUSE CANADA, INC.,
6 f/k/a TD WATERHOUSE INVESTMENT SERVICES CANADA, INC. request that the
7 Court hear Plaintiffs' concurrently filed Motion To Compel Production Of Tape
8 Recorded Conversations on December 4, 2007 at 9:30 a.m., with Defendants to file their
9 opposition on or before November 28, 2007, and Plaintiffs to file a reply, if any, on or
10 before November 30, 2007.

STIPULATION

12 WHEREAS, on November 14, 2007, a discovery dispute arose between the parties
13 relating to Defendants' search for and production of tape recorded telephone conversations of
14 employees of TD Waterhouse's Credit Department;

15 WHEREAS, under the current scheduling order, fact discovery is required to be
16 completed by December 5, 2007;

17 WHEREAS, if Defendants were ordered to search for additional tape recorded
18 conversations it would take some time to comply with the order;

19 NOW THEREFORE, Plaintiffs and Defendants hereby stipulate that (1) Plaintiffs'
20 Motion To Compel Production Of Tape Recorded Conversations will be heard on shortened time
21 on December 4, 2007 at 9:30 a.m.; (2) Defendants will file their opposition on or before
22 November 28, 2007; and (3) Plaintiffs will file a reply, if any, on or before November 30, 2007.

23 By stipulating to the expedited schedule, Defendants are in no way indicating that they
24 agree with the merits of Plaintiffs' proposed motion, and in fact intend to vigorously oppose it.
25 Nothing contained herein shall be deemed a waiver of any party's rights.

1 DATED: November 21, 2007

LAW OFFICES OF ALAN W. SPARER

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3 By: _____ /s/

ALAN W. SPARER

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5 Attorneys for Plaintiffs

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7 Concurrence in the filing of this document has been obtained by each of the other signatories.

8 DATED: November 21, 2007

9 KEESAL, YOUNG & LOGAN

10

11 By: _____ /s/

12 CARA MEREDITH

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14 Attorneys for Defendants

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ORDER

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18 This Court, having reviewed this Stipulation of the parties, and good cause appearing
19 therefor, orders that Plaintiffs' Motion To Compel Production of Tape Recorded Conversations
20 will be heard on shortened time on December 4, 2007 at 9:00 a.m. Defendants will file their
21 opposition on or before November 28, 2007, and Plaintiffs will file a reply, if any, on or before
22 November 30, 2007.

23

24 IT IS SO ORDERED.

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26 DATED: 11/27, 2007

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